

**Town of Marshfield Annual and Special Town Meeting  
Monday, April 28, 2008**

Marshfield's Annual Town Meeting was called to order on Monday, April 28, 2008 at Marshfield High School. The Annual Town Meeting (ATM) was adjourned and the Special Town Meeting (STM) was convened at 7:55PM and adjourned after finishing all articles (1-17) at 10:25 PM. Annual Town Meeting was convened at 7:30PM Tuesday, April 29, 2008 – Articles 1-6 were voted on and the meeting adjourned at 11:05PM. ATM was reconvened on Thursday, May 1, 2008, at 7:30PM. Articles 9,12,17,20,21,22,23,29,33 and 39 were voted on and the meeting adjourned at 10:35PM. Annual Town Meeting was reconvened on Monday, May 5, 2008 at 7:30PM. The remaining articles (7,8,10,11,13,14,15,16,18,19,24,25,26,27,28,30,31,32,34,35,36, 37,38,40 and 41) were voted on and Annual Town Meeting was dissolved at 11:35 PM. Town Meeting workers included Charlotte Keith, Kay Ramsey, Susan Flynn, Ann Lariviere, Narice Casper, Paula Buckley and Madeleine Radley, Trish Murphy, Karen O'Donnell, Barry Bartlett, Dick Lariviere and Steve Barber. Counters in sections 1-10 were Jim Haddad, Jim Creed, Jack Cantwell, Barry Bartlett, Jean McDonald, Jack Braithwaite, Barry Cornwall, Reed Stewart, Otis Carney and Madeleine McDonald.

**ARTICLE 1** The Town **VOTED** the following adjustments to the Fiscal Year 2008 General Fund budget line items voted as Article 6 at the April 2007 Annual Town Meeting: - **PASSED UNANIMOUSLY**

Transfer **from** the following FY 2008 budgets:

Selectmen FT Salaries: \$23,000

Town Accountant FT Salaries: \$24,000

Medicare: \$62,777

Insurance-General

Liability Expenses: \$23,250

Transfer **to** the following FY 2008 budgets:

Legal Expenses: \$70,000

Veterans Expenses-Benefits: \$44,000

Library Expenses-

Building Maintenance: \$18,777

Conservation Salaries-

Sick Leave Incentive: \$ 250

**ARTICLE 2** The Town **VOTED** to appropriate \$548,153 and to meet such appropriation transfer \$12,193 from Solid Waste Enterprise Retained Earnings, \$21,408 from Wastewater Enterprise Retained Earnings, \$27,609 from Water Enterprise Retained Earnings and \$486,943 from the Fiscal Year 2008 General Fund budget line item – Employee Benefits as voted at the April 2007 Annual Town Meeting, Article 6 to a salary adjustment account to pay employees amounts to which they are entitled under applicable collective bargaining agreements or personnel bylaws, for unused sick and vacation leave and to fund settled collective bargaining agreements, employment contracts and personnel bylaw salary increases retroactive to July 1, 2007. - **PASSED UNANIMOUSLY**

**ARTICLE 3** The Town **VOTED** to approve a cost of living adjustment of 2.5% for FY 2008 retroactive to July 1, 2007 and 2.0% for FY 2009 to adjust the wage classification table for all employees covered by the Personnel Bylaw and further to amend Schedule D – Lifeguards by deleting \$9 - \$10.50 and substituting \$9.50 - \$11.00; Beach Parking Attendants – delete \$8.00 - \$9.50 and substituting \$8.50 - \$10.00 retroactive to July 1, 2007. - **PASSED BY MAJORITY**

**ARTICLE 4** The Town **VOTED** to expend the sum of \$23,039 from Insurance Recovery Proceeds for the purchase of a police cruiser. - **PASSED UNANIMOUSLY**

**ARTICLE 5** The Town **PASSED OVER** expending a sum of money from Insurance Recovery Proceeds to repair damage to Ventress Memorial Library caused by roof leaks in November 2007 through February 2008.

**ARTICLE 6** The Town **VOTED** to rescind the following unused authorizations to borrow in accordance with MGL Chapter 44, Sections 7 and 8, the other provisions of such articles to remain in full force and effect.

Art 4, ATM 04/2005	\$ 28,000	Loader #75 Replacement
Art 4, ATM 04/2005	\$ 44,000	Skatepark ADA compliance

Art 4, ATM 04/2006	\$ 73,000	SRS Roof replacement
Art 4, ATM 04/2006	\$ 19,000	Chipper #19 Replacement
Art 17, STM 10/2006	\$ 4,000	Church St Land purchase
Art 1, STM 4/2000	\$189,420	Sewer 2000 Ocean St Ext – <b>PASSED UNANIMOUSLY</b>

**ARTICLE 7** The Town **DEFEATED** appropriating \$50,000 for legal costs and related expenses arising out of the Logan flight path litigation.

**ARTICLE 8** The Town **VOTED** to appropriate \$7,726.36 for payment of unpaid bills incurred during previous fiscal years and to fund such appropriation transfer \$7,726.36 from Free Cash.

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Town Clerk	Thomson West	\$ 609.22
Benefits	Health Resources	\$1,014.00
Legal	Paul Garvin & Associates	\$ 280.00
DPW	Bay State Gas	\$3,407.79
DPW	Commerce Insurance	\$1,619.82
Board of Appeals	The Cecil Group	\$ 795.53

**PASSED BY 9/10 VOTE**

**ARTICLE 9** The Town **VOTED** to amend Article Twenty of the General Bylaws, the Earth Removal Bylaw, as follows:

By striking the word “soil” from paragraph 1 and substituting therefor the word “topsoil”; and by adding the following new sentence: “Topsoil and loam shall mean those earthen materials lying at the surface which are suitable for the support of plant life.”

By striking from paragraph 3(a) the word “ten” and substituting therefor the word “one hundred” and striking the words “in any year”.

By adding the following new paragraph 3(d):

“d. The Board of Selectmen may, in its reasonable discretion, issue an earth removal permit without requiring full compliance with the requirements of this bylaw when it determines that such proposed earth removal is the minimum quantity of material necessary to be removed in order to construct a building, structure, street, driveway, sidewalk, path or appurtenance in accordance with the approvals therefor issued by the appropriate town officials, boards or agencies. Provided however, that this exception shall not apply where the Board of Selectmen determine, after hearing, that the proposed construction is a pretext for earth removal and sale, or that the proposed earth removal shall cause damage to the public health, safety or the environment. Whenever a Town official, board or agency issues a permit or approval for a project involving the removal of in excess of one hundred cubic yards of earthen material the official, board or agency shall notify the Board of Selectmen of such permit or approval and shall consider making any necessary compliance with this bylaw a condition of such permit or approval.”

By striking out in its entirety paragraph 8 of the bylaw and renumbering the succeeding paragraphs.

By adding to the end of paragraph 9 (b) the following:

“; for each subsequent offense two hundred dollars (\$200).” - **PASSED BY MAJORITY**

**ARTICLE 10** The Town **VOTED** to act upon the recommendation of the Board of Public Works, to authorize the Board of Public Works, on behalf of and in the name of the Town, to take by eminent domain from Owners Unknown the parcels of land shown on the Marshfield Assessors’ Maps as Lots: E08-01-14, E08-01-03, E08-01-04 and a certain unnumbered, triangular-shaped parcel of land containing

6.6 acres more or less, lying adjacent to Lot E08-01-03 on its westerly side, said parcels lying off of Old Mt. Skirgo Street, containing in total 25 acres more or less, for purposes of protection of the groundwater supply for the Old Mt. Skirgo Wellfield, with no land damages to be paid by the Town. - **PASSED BY 2/3 VOTE**

**ARTICLE 11** The Town **VOTED** to act upon the recommendation of the Board of Public Works, to authorize the Board of Public Works, on behalf of and in the name of the Town, to acquire ownership in fee simple of the below described parcel of land for the purposes of protection of the Magoun Pond Aquifer well field drinking water source, and to expend \$125,000 from the Water Enterprise Retained Earnings, and further to authorize the Board of Selectmen, to grant a permanent deed restriction meeting the requirements of General Laws Chapter 184 limiting the property to the purpose for which it was acquired and that the Board of Selectmen and Board of Public Works be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments necessary to effectuate the purpose of this article. Said deed restrictions may be granted to any organization qualified and willing to hold such a restriction. Said Parcel shall be subject to the provisions of Article 97 of the State Constitution.

Portion of Lot C-11-02-13A at 4 Union Street, 9.38+/- acre undeveloped portion of land for a purchase price of \$125,000. - **PASSED BY 2/3 VOTE**

**ARTICLE 12** The Town **VOTED** to appropriate \$165,000 to be used to fund the construction of the Carolina Hill Water Tank and related expenses and to meet the cost of such appropriation by using Water Retained Earnings and transferring the unexpended balances of the following articles from previous Town Meetings listed below.

Excavator & Trailer Water Article 4 – 4/04ATM: -	\$33,000.00	
Moraine Street Water Main Article 4 – 4/02ATM: -	6,254.00	(borrowing)
Pickup Truck Replace Water Article 4 – 4/05ATM: -	3,032.53	
Replace Utility Van Water Article 4 – 4/06ATM: -	7,159.11	
Pudding Hill Water Tank Article 4 – 4/99ATM: -	4,237.52	
Sea Street Water Mains Article 3 – 4/05STM:-	<u>8,009.24</u>	
Sub Total	\$ 61,692.40	
Retained Earnings	\$ 103,307.60	
<b>TOTAL:</b>	<b>\$ 165,000.00</b>	<b>- PASSED BY MAJORITY</b>

**ARTICLE 13** The Town **VOTED** to appropriate \$99,962.74 to be used to fund the Wastewater Collection System Repairs, and to meet the cost of such appropriation by transferring the unexpended balances of the following articles from previous Town Meetings set out below.

Vactor/Jet Truck Wastewater Article 4 – 4/04ATM: -	\$11,839.00	(borrowing)
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Sewer Outfall Pipe Wastewater Article 4 – 4/89ATM: -	25,892.21
Sewer Outfall Pipe Wastewater Article 3 – 10/98STM: -	29,307.58
Replace Pumps Wastewater Article 4 – 4/04ATM: -	26,523.83
Replace Electrical Conduit Article 4 – 4/06ATM: -	<u>6,400.12</u>

**TOTAL: \$ 99,962.74 - PASSED BY MAJORITY**

**ARTICLE 14** The Town **PASSED OVER** transferring money from the retained earnings of Solid Waste Enterprise to offset the under collection of costs from rates due to the implementation of a Pay as You Throw program in FY 2008.

**ARTICLE 15** The Town **VOTED** to act upon the recommendation of the Community Preservation Committee for the fiscal year beginning July 1, 2007, to expend \$510,000 from the Budgeted Reserve of the Community Preservation fund established pursuant to Massachusetts General Laws Chapter 44B to purchase land and buildings located at 2029-2033 Ocean Street, parcel G07-02-18. - **PASSED BY 2/3 VOTE**

Fund Category	Project	Amount	Department/Applicant
<b>Historic Preservation</b>	Purchase buildings and land at 2029-2033 Ocean Street., parcel id G07-02-18.	\$510,000	Board of Selectmen

*It is further stipulated that:*

- 1. The department named in each specified project shall assume the responsibility to fully execute the project*
- 2. Any un-used funds will be returned to the appropriating Community Preservation Act Fund.*
- 3. CPA funds can be used for the purpose of matching grants from other sources.*

**ARTICLE 16** The Town **VOTED** to appropriate an additional \$110,000 and to fund such appropriation to authorize the Treasurer, with approval of the Selectmen, to issue any bonds or notes that may be necessary for that purpose as authorized by M.G.L. c.44, for additional funding required to replace the Ventress Library Roof. - **PASSED BY 2/3 VOTE**

**ARTICLE 17** The Town **PASSED OVER** adopting the following bylaw:

**I. Dangerous dogs and vicious dogs**

A. *Definition.* A “dangerous dog” or “vicious dog” as used in this section, shall mean:

- Any dog that has bitten or attacked any person or has attempted to bite or attack any person. A dog shall be deemed to be attempting to attack if it is restrained by a leash, fence or other means, and it is clear from the dog’s excited actions, in the eyes of a reasonable person, that only the presence of the leash, fence, or other means of restraint is preventing the dog from making an immediate attack.

2. Any dog which has a demonstrated propensity, tendency or disposition to attack, to cause injury to, or to otherwise threaten the safety of domestic animals.
3. Any dog which, whether leashed or not, approaches any person in a manner which would be considered by a reasonable person to be vicious or terrorizing and in an apparent attitude of attack upon the streets, sidewalks, or any public grounds, places or beaches.
4. Any dog owned or harbored primarily, in part or in the past for the purpose of dog fighting or any dog trained for dog fighting.
5. The determination that a dog is dangerous or vicious under this section shall be at the discretion of the Animal Control Officer after investigation to determine whether dog has engaged in the described behavior and the Animal Control Officer shall notify the owner of any such determination.
6. Designation of Dangerous Dog is not dependent upon the breed or mix of breeds in a dog.

**EXCEPT THAT** no dog shall be considered dangerous or vicious by reason of any bite or attack if:

- a. A human being, who, at the time the injury was sustained, was committing trespass upon premises occupied by the owner of the dog, or was teasing, tormenting, abusing or assaulting the dog, or was committing or attempting to commit a crime.
- b. A domestic animal, at the time the injury was sustained, was teasing, tormenting, abusing or assaulting the dog.
- c. The injury occurred while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner, and if the injury was to a species or type of domestic animal appropriate to the work of the dog.
- d. No dog shall be considered dangerous if the dog was protecting or defending a person within the immediate vicinity of the dog from an attack.
- e. No military, correctional or police-owned dogs shall be considered dangerous if the attack or injury to a person or domestic animal occurs while the dog is performing duties as expected.
- f. The dog acted in reaction to pain, injury or provocation or was protecting itself, its kennel or its offspring. For the purposes of this bylaw, provocation shall include hitting, kicking, taunting or striking of a dog with an object or part of a person's body, and/or if any part of the dog's body was pulled, pinched or squeezed by a person.

**B. Deeming a dog dangerous, appealing such a classification.**

1. The notice shall be in writing and mailed by certified mail to the owner's last known address.
2. The notice shall include a summary of the Animal Control Officer's findings that form the basis for the dog's classification as a dangerous dog.
3. The notice shall be dated and shall state that the owner has a right to request a hearing on the classification within 15 days from the date of the notice. Upon receipt of the notice, the dog shall be kept in strict confinement, meaning that the dog must be surrounded by four solid walls and a roof or leash walked.
4. A Dangerous Dog Advisory Board, appointed by Selectman, shall oversee the implementation and enforcement of the Dangerous Dog Bylaw. The Dangerous Dog advisory Board will consist of five members. For three of the five seats, preference shall be given to people currently employed or retired from animal care/ animal training/ humane work. Members will be appointed by the Board of Selectman. Members will serve a term of one or two years the first year, then each renewal shall be for two years, rotating reappointment of either two or three members each year.

Upon request, the Dangerous Dog advisory Board shall be charged to evaluate Dangerous Dog problems by collecting necessary data, hearing expert opinion, holding public hearings, etc and shall recommend solutions or actions necessary to resolve such problems within the scope of the Dangerous Dog Bylaw. If resolution is not satisfactory at the level of the advisory board, they will recommend the issue be brought to the Board of Selectman for further review.

The Board will meet as necessary. The Board will hear testimony, and collect information regarding the implementation of the Dangerous Dog Bylaw. The Board will advise the Board of Selectman after hearing any issues regarding the implementation of the Dangerous Dog Bylaw.

All requests for hearings to the Dangerous Dog Advisory Board must be done in writing and on a form to be designed by the Dangerous Dog Advisory Board.

5. The notice shall state that the Board of Selectmen or Dangerous Dog Advisory Board shall conduct the hearing.
6. The notice shall state that if the owner does not request such a hearing within 15 days from the date of the notice, the classification of the dog as a dangerous dog shall be final and conclusive for all purposes.
7. The notice shall include a form to request a hearing before the Board of Selectmen or Dangerous Dog Advisory Board and shall provide specific instructions on mailing or delivering such a request.
8. At the hearing, the owner has a right to present, orally or in writing, any reasons and evidence as to why the dog should not be declared dangerous, including compliance with the American Kennel Club's Canine Good Citizen Certification program or a comparable course.

*C. The Dangerous Dog Advisory Board or Animal Control Office may order any or all of the following duties of a Dangerous Dog owner:*

1. Spaying or neutering, if the animal is not already altered. The animal shall be exempt from such an order if a veterinarian certifies in a written statement that the animal is unfit for alterations because of medical reasons. All costs should be borne by the dog owner.
2. Microchip identification, if the animal is not already microchipped. The microchip identification number (whether pre-existing or not) must be registered with a national registry and filed with the Animal Control Officer. Any costs incurred shall be borne by the owner.
3. Behavior training from a certified behaviorist or certified trainer, to be implemented as determined by the Animal Control Officer or Dangerous Dog Advisory Board.
4. Rabies vaccination as required by Chapter 140 : 145B of the General Laws, if the animal is not up to date on its annual vaccinations, as certified by a licensed veterinarian. All costs should be borne by the dog owner.

*D. Outdoor confinement.* No person shall own, keep, or harbor, or allow to be upon any premises occupied by him under his charge or control, any dangerous or vicious dog without it being confined to a proper enclosure.

For the purposes of this subsection, a proper enclosure shall mean a securely enclosed pen or structure suitably padlocked to reasonably prevent the entry of any person to enter or release the dog that is not authorized by the dog's owner and designed to prevent the escape by the dog. The proper enclosure shall also have secure sides and top and shall provide protection and shelter for the dog from the elements and weather. Said proper enclosure must be a chain link structure or pen of dimensions at least 12 feet by 12 feet and 6 feet high containing a solid floor sufficient to prevent the dog's escape by digging or breaking floor. The proper enclosure must be inspected and approved by the Animal Control Department before use of said proper enclosure satisfies the requirements of this subsection.

Whenever the dog is removed from its proper enclosure, the dog shall be securely muzzled and leashed on a leash no longer than 4 feet in length. The dog must be under control of a responsible person 18 years of age and older. No such dogs are allowed on or within 500 feet of any Town schools, parks, playgrounds, beaches, or conservation areas.

*E. Indoor Confinement.* No vicious dog may be kept on a porch, patio, or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when the screen windows or screen doors are the only obstacles preventing the dog from exiting the structure.

*F. Signs.* All owners, keepers or harborers of dangerous dogs shall display in a prominent place on their premises a sign easily readable by the public, using the words "Beware of Dog." Additional signage is required to be posted on the kennel or pen of the dog and on any gates leading into the property. Signs will be approved by the Animal Control Officer at the expense of the owner.

G. *Insurance.* The owner or custodian of any vicious dog shall maintain a policy of insurance in an amount not less than \$300,000 per incident insuring such person against any claim, loss damage, or injury to any human being resulting from the acts of such dog. Such person may be required to produce evidence of the required insurance upon the request of the Animal Control Officer. This section shall not apply to dogs kept by law enforcement agencies.

H. *Notification.* The owner of a dangerous dog shall notify the Animal Control Officer in person or by telephone within two hours of the occurrence of any one of the following events:

1. The dog has escaped or has otherwise ceased to be in the custody of the owner for any reason.
2. Such dog has attacked a human being.
3. Such dog has been given away, sold, bartered, or otherwise transferred to the ownership or possession of another person.
4. The dog has died.

I. *Giving away, selling, or bartering.* Any dog deemed vicious under this section shall not be given away, sold, or bartered unless new owners comply with the commands or directions under this section, if the new owners reside in Marshfield.

J. *Change of premises.* The dog owner must notify the Animal Control Officer of any change of premises within 30 days of the move.

K. *Impoundment.* Any dog that has been deemed "dangerous," found running at large or in violation of this section, shall be impounded by the Animal Control Officer and cannot be claimed until the provisions of the section are met. The impoundment fee is borne by the owner whether or not such a dog is claimed. If such dog is not reclaimed within 10 days of such impoundment, the animal may be disposed of by adoption or euthanasia, which determination shall be made after a hearing before the Dangerous Dog Advisory Board.

L. *Destruction.* When in the judgment of the Animal Control Officer, a dog should be destroyed after being determined vicious, Section 157 of Chapter 140 of the General Laws shall be applicable.

M. *Licensing Surcharge.* The annual licensing fee for a dangerous dog shall include a \$100 surcharge in addition to the regular licensing fee. The surcharge required by this provision shall be enforced by the Animal Control Officer.

N. *Penalties.* After 30 days of being notified that a dog is dangerous or vicious, any owner found not in compliance with any of the provisions of this section shall be subject to a fine of \$300. Each day that the owner is not in compliance with any provision shall constitute a separate offense.

O. *Persons responsible.* No person under the age of 18 shall own, handle, control or be responsible for a dangerous dog.

## **II. Potentially Dangerous Dogs**

A. *Definition.* A "potentially dangerous dog" as used in this section, shall mean:

1. Any dog that is impounded or its owners cited for allowing a dog to run off leash three or more times within a 12-month period.
2. Any dog that acts in manner deemed by a reasonable person to be highly aggressive when unprovoked. Any dog that exhibits such behavior within a fenced yard or enclosure that appears to the Animal Control Officer to be able to jump over or escape. Vocalization or barking, without more, shall not cause a dog to be deemed of a highly aggressive manner.
3. The determination that a dog is potentially dangerous under this section shall be in the discretion of the Animal Control Officer and the Animal Control Officer shall notify the owner and property owner (if different) of such a determination.

**EXCEPT THAT** no dog shall be considered potentially dangerous by reason of its conduct if:

- a. The dog was protecting or defending a person within the immediate vicinity of the dog from an attack.
- b. The dog acted in reaction to pain, injury or provocation or was protecting itself, its kennel or its offspring. For the purposes of this bylaw, provocation shall include hitting, kicking, taunting or striking of a dog with an object or part of a person's body, and/or if any part of the dog's body was pulled, pinched or squeezed by a person

B. *Deeming a dog "potentially dangerous", appealing such a classification.*

1. The notice shall be in writing and mailed by certified mail to the owner's last known address.

2. The notice shall include a summary of the Animal Control Officer's findings that form the basis for the dog's classification as a potentially dangerous dog.
3. The notice shall be dated and shall state that the owner has a right to request a hearing on the classification within 15 days from the date of the notice. Upon receipt of the notice, the dog shall be kept in strict confinement, meaning that the dog must be surrounded by four solid walls and a roof or leash walked.
4. The notice shall state that the Board of Selectmen or Dangerous Dog Advisory Board shall conduct the hearing.
5. The notice shall state that if the owner does not request such a hearing within 15 days from the date of the notice, the classification of the dog as a dangerous dog shall be final and conclusive for all purposes.
6. The notice shall include a form to request a hearing before the Board of Selectmen or Dangerous Dog Advisory Board and shall provide specific instructions on mailing or delivering such a request.
7. At the hearing, the owner has a right to present, orally or in writing, any reasons and evidence as to why the dog should not be declared dangerous, including compliance with the American Kennel Club's Canine Good Citizen Certification program or a comparable course.

*C. The Dangerous Dog Advisory Board or Animal Control Office may order any or all of the following duties of a Potentially Dangerous Dog owner:*

1. Spaying or neutering, if the animal is not already altered. The animal shall be exempt from such an order if a veterinarian certifies in a written statement that the animal is unfit for alterations because of medical reasons. Any costs incurred shall be borne by the owner.
2. Microchip identification, if the animal is not already microchipped. The microchip identification number (whether pre-existing or not) must be registered with a national registry and filed with the Animal Control Officer. Any costs incurred shall be borne by the owner.
3. Behavior training from a certified behaviorist or certified trainer, to be implemented as determined by the Animal Control Officer or Dangerous Dog Advisory Board.
4. Rabies vaccination as required by Chapter 140 : 145B of the General Laws, if the animal is not up to date on its annual vaccinations, as certified by a licensed veterinarian. Any costs incurred shall be borne by the owner.
5. The owner provides adequate security to the premises where the potentially dangerous dog is kept, as specifically described in writing to the owner by the Animal Control Officer or Dangerous Dog Advisory Board. Said owner must comply within 60 days of receiving such description.

*D. Persons responsible.* No person under the age of 18 shall own, handle, control or be responsible for a potentially dangerous dog.

*E. Signs.* All owners, keepers or harborers of dangerous dogs shall display in a prominent place on their premises a sign easily readable by the public, using the words "Beware of Dog." Additional signage is required to be posted on the kennel or pen of the dog and on any gates leading into the property. Signs will be approved by the Animal Control Officer at the expense of the owner.

*F. Notification.* The owner of a dangerous dog shall notify the Animal Control Officer in person or by telephone within two hours of the occurrence of any one of the following events:

1. The dog has escaped or has otherwise ceased to be in the custody of the owner for any reason.
2. Such dog has attacked a human being.
3. Such dog has been given away, sold, bartered, or otherwise transferred to the ownership or possession of another person.
4. The dog has died.

*G. Change of premises.* The dog owner must notify the Animal Control Officer of any change of premises within 30 days of the move.

*H. Licensing Surcharge.* The annual licensing fee for a dangerous dog shall include a \$50 surcharge in addition to the regular licensing fee. The surcharge required by this provision shall be enforced by the Animal Control Officer.

I. *Penalties.* After 30 days of being notified that a dog is potentially dangerous, any owner found not in compliance with any of the provisions of this section, except for section II C. 5 for which violations found after 60 days of said notification, shall be subject to a fine of \$100 for any first offense; \$200 for any second offense; and \$300 for any offense thereafter. Each day that the owner is not in compliance with any provision shall constitute a separate offense.

J. If, 36 months after owners are in complete compliance with above orders, and no subsequent leash law or Dangerous Dog Bylaw complaints have been validated, the owner may petition the Dangerous Dog Advisory Board to have such designation removed.